

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

WILLARD L. SLOAN, EUGENE J.  
WINNINGHAM, and JAMES L. KELLEY,

Plaintiffs,

v.

BORGWARNER INC., BORGWARNER  
DIVERSIFIED TRANSMISSION  
PRODUCTS INC., and BORGWARNER  
FLEXIBLE BENEFITS PLANS,

Defendants.

Case 2:09-cv-10918-PDB-MKM

U.S. District Judge Paul D. Borman

U.S. Magistrate Judge Mona K. Majzoub

**BORGWARNER'S SUPPLEMENTAL  
APPENDIX OF SUMMARY JUDGMENT EXHIBITS  
VOLUME 2**

| <b>Exhibit</b>  | <b>Description</b>   |
|-----------------|--|
| <i>Volume I</i> |  |
| 26              | Letter from J.E. Reising to Allan Dulaney (Aug. 4, 1989) (DTP004527–DTP004529) (Pls.' Dep. Ex. 111)                |
| 27              | Letter from Jack Reising to Retirees/Survivors (Sept. 14, 1989) (DTP004639–DTP004642) (Pls.' Dep. Ex. 3)           |
| 28              | Retirement Checklist (Nov. 1990) (CM000085) (Pls.' Dep. Ex. 10)  |
| 29              | Memorandum from Laura Hess to Chuck Smith (Oct. 9, 1992) (INTL UAW 001369–INTL UAW 001373) (Champagne Dep. Ex. 20) |
| 30              | Response to Comments of Laura Hess (Oct. 13, 1992) (UAW001450–UAW001457) (Champagne Dep. Ex. 21)                   |
| 31              | Letter from Laura Hess to John C. Daffara (Nov. 23, 1992) (DTP007197–DTP007221) (Champagne Dep. Ex. 23)            |
| 32              | Retirement Checklist for LaRue Cross (June 23, 2005) (BWB00001074) (Cross Dep. Ex. 4)                              |
| 33              | Deposition of LaRue Cross (Jan. 6, 2012)   |

| <b>Exhibit</b> | <b>Description</b>                                |
|----------------|---|
| 34             | Deposition of Jack Reising (Feb. 8, 2012)         |
|                | <i>Volume 2</i>                                   |
| 35             | Deposition of Charles G. Smith (Jan. 6, 2012)     |
| 36             | Deposition of George Turczynowsky (Nov. 16, 2011) |

Dated: June 14, 2012

Respectfully submitted,

Elisa Angeli Palizzi (P52088)  
(angeli@millercanfield.com)  
Miller, Canfield, Paddock and Stone, P.L.C.  
150 West Jefferson, Suite 2500  
Detroit, Michigan 48226  
313.496.7635  
313.963.6420 fax

s/Bobby R. Burchfield  
Bobby R. Burchfield  
(bburchfield@mwe.com)  
Joshua David Rogaczewski  
(jrogaczewski@mwe.com)  
McDermott Will & Emery LLP  
600 13th Street, Northwest  
Washington, D.C. 20005  
202.756.8000  
202.756.8087 fax

*Attorneys for BorgWarner Inc., BorgWarner Diversified Transmission Products Inc., and  
BorgWarner Flexible Benefits Plans*

**CERTIFICATE OF SERVICE**

I hereby certify that on June 14, 2012, I electronically filed the foregoing **BorgWarner's Supplemental Appendix of Summary Judgment Exhibits, Volume 2** with the Clerk of the Court using the ECF system which will send notification of such filing to all ECF participants.

s/Bobby R. Burchfield  
Bobby R. Burchfield  
(bburchfield@mwe.com)  
McDermott Will & Emery LLP  
600 13th Street, Northwest  
Washington, D.C. 20005  
202.756.8000  
202.756.8087 fax